

Amend Senate S2810, Assembly A4010, A BUDGET BILL, AN ACT to authorize funding for the Consolidated Local Street and Highway Improvement Program (CHIPS) and Marchiselli program for state fiscal year 2011-2012...

Page	Line	Amendment
Page 2,	Between lines 44 and 45,	<p>Insert "§2. Notwithstanding the provisions of any other general or special law, Section 9 of chapter 330 of the laws of 1991, which added Sections 16 and 16-a of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, is hereby amended to add a new subdivision (f) to section 16 and a new subdivision (f) to section 16-a to read as follows:</p> <p style="padding-left: 40px;"><u>(f) For purposes of this section and section 10-c of the highway law, for projects completed on or before March 31, 2012 local highway and bridge projects may also include the following work types: (1) microsurfacing, (2) paver placed surface treatment, (3) single course surface treatment involving chip seals and oil and stone, and (4) double course surface treatment involving chip seals and oil and stone, however, no reimbursement shall be made for (1) microsurfacing, (2) paver placed surface treatment, (3) single course surface treatment involving chip seals and oil and stone, and (4) double course surface treatment involving chip seals and oil and stone after March 31, 2012. Reimbursement for projects using these treatments may be made from the proceeds of bonds, notes or other obligations issued by the New York state thruway authority pursuant to section 380 of the public authorities law or otherwise as determined by the director of the budget.</u></p> <p>§3. Notwithstanding the provisions of any other general or special law, subdivision (d) of section 11 of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, as amended by Section 6 of chapter 330 of the laws of 1991, is hereby further amended to read as follows:</p> <p style="padding-left: 40px;">(d) Any such service contract (i) shall provide that the obligation of the director of the budget or the state to fund or to pay the amounts therein provided for shall not constitute a debt of the state within the meaning of any constitutional or statutory provisions in the event the</p>

		<p>thruway authority assigns or pledges service contract payments as security for its bonds or notes, (ii) shall be deemed executory only to the extent moneys are available and that no liability shall be incurred by the state beyond the moneys available for the purpose, and that such obligation is subject to annual appropriation by the legislature, and (iii) shall provide that no funds shall be made available from the proceeds of bonds or notes issued pursuant to this chapter unless the commissioner of transportation has certified to the chairman of the thruway authority that such funds shall be used exclusively for the construction, reconstruction or improvement of local highways, bridges and/or highway-railroad crossings, including right of way acquisition, preliminary engineering, and construction supervision and inspection, where the service life of the project is at least ten years <u>or for projects completed on or before March 31, 2012 where the project is: (1) microsurfacing, (2) paver placed surface treatment, (3) single course surface treatment involving chip seals and oil and stone and (4) double course surface treatment involving chip seals and oil and stone, and unless the director of the budget has certified to the chairman of the thruway that a spending plan has been submitted by the commissioner of transportation and has been approved by the director of the budget. <u>No reimbursement shall be made for (1) microsurfacing, (2) paver placed surface treatment, (3) single course surface treatment involving chip seals and oil and stone, and (4) double course surface treatment involving chip seals and oil and stone after March 31, 2012.</u></u></p> <p>§4. Notwithstanding the provisions of any other general or special law, Section 9 of chapter 330 of the laws of 1991, which added Sections 16 and 16-a of chapter 329 of the laws of 1991, amending the state finance law and other laws relating to the establishment of the dedicated highway and bridge trust fund, is hereby amended to include an amended subdivision (b) for each section to read as follows:</p> <p>(b) Each county, city, town and village shall certify to the commissioner of transportation that amounts to be reimbursed are for construction, reconstruction or improvement of local highways, bridges and/or highway-railroad</p>
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Page 2,	Line 45,	<p>Strike out "\$2." And insert "\$5." And after "immediately" insert " provided however, that sections 2, 3 and 4 of this act shall expire and be deemed repealed on April 1, 2012.</p>